

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

ALBERTO MARTINEZ BELTRAN

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NO. 3:20-CR-33

ORDER

Magistrate Judge C. Clifford Shirley, Jr. filed a report and recommendation, recommending that the Court: (1) find that the plea hearing in this case could not be further delayed without serious harm to the interests of justice; (2) accept Defendant's plea of guilty to the charge in Count One of the Information, that is, possession with the intent to distribute a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C) and adjudicate him guilty of that charge; (3) accept Defendant's plea of guilty to the charge in Count Two of the Information, that is, being an alien found in the United States, after having been removed and deported therefrom, and not having obtained the express consent of the Secretary of Homeland Security to reapply for admission to the United States, in violation of 8 U.S.C. § 1326(a) and adjudicate him guilty of that charge; and (4) find that Defendant shall remain in custody until sentencing in this matter [D. 7]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS**

the magistrate judge's report and recommendation [D. 7] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) As set forth on the record, Defendant's plea hearing could not be further delayed without serious harm to the interests of justice;

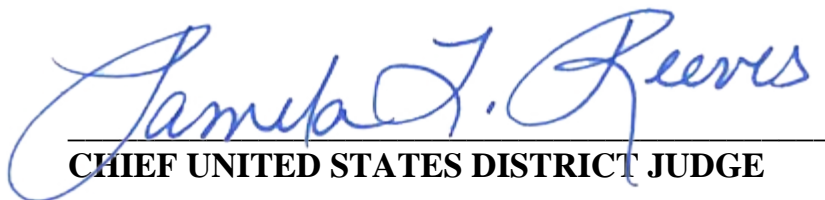
(2) Defendant's plea of guilty to the charge in Count One of the Information, that is, possession with the intent to distribute a mixture and substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of its isomers, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C), is **ACCEPTED**, and Defendant is hereby **ADJUDGED GUILTY** of that charge;

(3) Defendant's plea of guilty to the charge in Count Two of the Information, that is, being an alien found in the United States, after having been removed and deported therefrom, and not having obtained the express consent of the Secretary of Homeland Security to reapply for admission to the United States, in violation of 8 U.S.C. § 1326(a), is **ACCEPTED**, and Defendant is hereby **ADJUDGED GUILTY** of that charge;

(4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **December 9, 2020 at 10:00 a.m. in Knoxville** before the Honorable Pamela L. Reeves, Chief United States District Judge.

SO ORDERED.

ENTER:


CHIEF UNITED STATES DISTRICT JUDGE